



15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazue YOSHIDA et al.
Title: HEAT EXCHANGER FOR FUEL CELL SYSTEM
Appl. No.: 10/062,470
Filing Date: 02/05/2002
Examiner: Unassigned
Art Unit: 3743

RECEIVED

FEB 12 2003

TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits. Further, it is being filed within three (3) months of the mailing date of the foreign search report. A certification pursuant to 37 C.F.R. § 1.97(e) is provided.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

Documents A2-A9 came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A1 and A3 claim priority based on the same first-filed application.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are provided herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By



Pavan K. Agarwal
Attorney for Applicant
Registration No. 40,888

Date February 11, 2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 945-6162

Facsimile: (202) 672-5399